



Attorney Docket No: 1340-1-021CIP

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below under our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**RELATIONSHIP OF ABC TRANSPORT PROTEINS WITH HEMATOPOIETIC  
STEM CELLS AND METHODS OF USE THEREOF**

the Specification of which

- ☐ is attached hereto  
☒ was filed on May 31, 2000  
as Application Serial No. 09/584,586  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §1.119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>APPLICATION</u> <u>NUMBER</u>	<u>COUNTRY</u>	<u>PRIOR FILED APPLICATION(S)</u> <u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY</u> <u>CLAIMED</u>
60/086,988	United States	28 MAY 1998	YES

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NO. _____	FILING DATE (DAY/MONTH/YEAR)	STATUS - PATENTED, PENDING, <u>ABANDONED</u>
PCT/US99/11825	27 MAY 1999	PENDING

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from St. Jude Children's Research Hospital as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the person from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint as my attorneys or agents the registered persons identified under

**Customer No. 23565**

for the law firm of Klauber & Jackson, said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

DAVID A. JACKSON, ESQ.  
KLAUBER & JACKSON  
411 HACKENSACK AVENUE  
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST JOINT INVENTOR: BRIAN SORRENTINO

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 6590 Quail Point Circle North  
Memphis, TN 38103

FULL POST OFFICE ADDRESS: 6590 Quail Point Circle North  
Memphis, TN 38103

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

FULL NAME OF SECOND JOINT INVENTOR: KEVIN BUNTING

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 99 North Main #1112  
Memphis, TN 38120

FULL POST OFFICE ADDRESS: 99 North Main #1112  
Memphis, TN 38120

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

FULL NAME OF THIRD JOINT INVENTOR: JOHN SCHUETZ

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 1442 Carr Avenue  
Memphis, TN 38105

FULL POST OFFICE ADDRESS: 1442 Carr Avenue  
Memphis, TN 38105

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

Attorney Docket No: 1340-1-021CIP

FULL NAME OF FOURTH JOINT INVENTOR: HIROMITSU NAKAUCHI

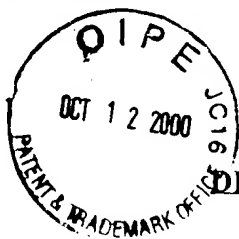
COUNTRY OF CITIZENSHIP: Japan

FULL RESIDENCE ADDRESS: Department of Immunology  
Inst. of Basic Med. Sciences  
University of Tsukuba  
Tsukuba, Ibaraki 305  
JAPAN

FULL POST OFFICE ADDRESS: Department of Immunology  
Inst. of Basic Med. Sciences  
University of Tsukuba  
Tsukuba, Ibaraki 305  
JAPAN

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

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<u>PRIOR FILED APPLICATION(S)</u>			
<u>APPLICATION</u> <u>NUMBER</u>	<u>COUNTRY</u>	<u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY</u> <u>CLAIMED</u>
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Attorney Docket No: 1340-1-021CIP

FULL NAME OF FIRST JOINT INVENTOR: BRIAN SORRENTINO

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 6590 Quail Point Circle North  
Memphis, TN 38103

FULL POST OFFICE ADDRESS: 6590 Quail Point Circle North  
Memphis, TN 38103

SIGNATURE OF INVENTOR 

DATE 8/17/2000

FULL NAME OF SECOND JOINT INVENTOR: KEVIN BUNTING

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: ~~99 North Main #1112~~ 8498 Greystone Lane, Apt. 1-A  
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Memphis, TN 38120 Columbia, MD 21045 

SIGNATURE OF INVENTOR 

DATE 8/21/00

FULL NAME OF THIRD JOINT INVENTOR: JOHN SCHUETZ

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 1442 Carr Avenue  
Memphis, TN 38105

FULL POST OFFICE ADDRESS: 1442 Carr Avenue  
Memphis, TN 38105

SIGNATURE OF INVENTOR 

DATE 8/21/00

FULL NAME OF FOURTH JOINT INVENTOR: HIROMITSU NAKAUCHI

COUNTRY OF CITIZENSHIP: Japan

FULL RESIDENCE ADDRESS: ~~Department of Immunology~~  
~~Inst. of Basic Med. Sciences~~  
~~University of Tsukuba~~  
429-3 Oi, Kukizaki-machi, ~~Tsukuba, Ibaraki 305-~~  
Inashiki-gun, Ibaraki, JAPAN 300-1243 ~~JAPAN~~

FULL POST OFFICE ADDRESS: ~~Department of Immunology~~  
~~Inst. of Basic Med. Sciences~~  
~~University of Tsukuba~~  
429-3 Oi, Kukizaki-machi, ~~Tsukuba, Ibaraki 305-~~  
Inashiki-gun, Ibaraki, JAPAN 300-1243 ~~JAPAN~~

SIGNATURE OF INVENTOR *Hiromitsu Nakauchi*

DATE September 25, 2000





Attorney's Docket No.: 1340-1-021CIP

Applicant or Patentee: Brian Sorrentino; Kevin Bunting; John Schuetz; and Hiromitsu Nakauchi

Application or Patent No.: 09/584,586

Filed or Issued: May 31, 2000

For: RELATIONSHIP OF ABC TRANSPORT PROTEINS WITH HEMATOPOIETIC STEM CELLS AND METHODS OF USE THEREOF

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION ST. JUDE CHILDREN'S RESEARCH HOSPITAL

ADDRESS OF ORGANIZATION 332 North Lauderdale Street  
Memphis, TN 38105-2794

**TYPE OF ORGANIZATION**

- ☐ University or other institution of higher education
- ☒ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
- ☐ Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled RELATIONSHIP OF ABC TRANSPORT PROTEINS WITH HEMATOPOIETIC STEM CELLS AND METHODS OF USE THEREOF by inventor(s) Brian Sorrentino; Kevin Bunting; John Schuetz; and Hiromitsu Nakauchi described in

- ☐ the specification filed herewith
- ☒ Application No. 09/584,586, filed May 31, 2000
- ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either

a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual    ☐ small business concern    ☐ nonprofit organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual    ☐ small business concern    ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Barbara S. Conta, Ph.D.

TITLE IN ORGANIZATION Vice President, Technology Development and Licensing

ADDRESS OF PERSON SIGNING 332 North Lauderdale Street

Memphis, TN 38105-2794

SIGNATURE *Barbara S. Conta* DATE 11/1/01